

ORIGINAL

(Del. Rev. 12/98)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JOHNS SHIPLEY
ROCHELL D SHIPLEY
 (Name of Plaintiff or Plaintiffs)

_ 08 - 554

NEW CASTLE COUNTY, A POLITICAL
 SUBDIVISION OF STATE OF DELAWARE.

CIVIL ACTION NO. _____

MICHAEL P WALSH, SHERIFF
SHARON A WAGNER, PROTHONOTARY OF
 (Name of Defendant or Defendants)
 NEW CASTLE COUNTY, DELAWARE

COMPLAINT

JURISDICTION OF THIS COURT IS INVOKED PURSUANT TO 28 U.S.C. § 1331, 28 U.S.C. § 1343, AND 28 U.S.C. § 2201. THIS ACTION IS BROUGHT PURSUANT TO THE 14 AMENDMENT OF UNITED STATES CONSTITUTION.
 1. This action is brought pursuant to 42 U.S.C. § 1981, 1982, 1983, 1985(3) and 1986, ARTICLE 4 AND THE 14 AMENDMENT. (Federal statute on which action is based)
 for discrimination related to 28 U.S.C. § 2201 discriminatory PRACTICES BY DEFENDANTS AGAINST PLAINTIFFS (In what area did discrimination occur? e.g. race, sex, religion)
 28 U.S.C. § 2201

(Federal statute on which jurisdiction is based)

2. Plaintiff resides at 609 WILDEI AVE
 (Street Address)
MING NEWCASTLE COUNTY DE 19720
 (City) (County) (State) (Zip Code)
1302 656 5050
 (Area Code) (Phone Number)

3. Defendant resides at, or its business is located at SEE OTHER SIDE
 (Street Address)

(City) (County) (State) (Zip Code)

4. The alleged discriminatory acts occurred on 21, 6, 2007
10 (Day) (Month) (Year) 2008 PRESANT

5. The alleged discriminatory practice ☒ is ☐ is not continuing.

AND OTHERS
DUE PROCESS
14 AMENDMENT
CONSPIRACY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JOHNS SHIPLEY
ROCHELL D SHIPLEY

(Name of Plaintiff or Plaintiffs)

NEW

CASTLE COUNTY, A POLITICAL
DIVISION OF STATE OF DELAWARE.

CIVIL ACTION NO. _____

HAEL P. WALSH, SHERIFF
SHARON AWGNEW, PROTHONOTARY OF

(Name of Defendant or Defendants)

CASTLE COUNTY, DELAWARE

COMPLAINT

Jurisdiction of this court is invoked pursuant to 28 U.S.C. § 2201, 28 U.S.C. § 1343, and 28 U.S.C. § 2201. This action is brought pursuant to the 14th Amendment of the United States Constitution. This action is brought pursuant to 42 U.S.C. §§ 1981, 1982, 1983, 1985(3) and 1986, Article 4 and the 14th Amendment. (Federal statute on which action is based) discrimination related to 28 U.S.C. § 2201 discriminatory practices by defendants + plaintiffs (In what area did discrimination occur? e.g. race, sex, religion)

8. U.S.C.S 2201

(Federal statute on which jurisdiction is based)

Plaintiff resides at 609 WILDEI AVE
(Street Address)

NEWCASTLE COUNTY DE 19720
(City) (County) (State) (Zip Code)

302 656 5050
(Area Code) (Phone Number)

Defendant resides at, or its business is located at SEE OTHER SIDE
(Street Address)

DEFENDANTS

NEWCASTLE COUNTY,
a political subdivision
of STATE OF DELAWARE
87 READ WAY NEWCASTLE
COUNTY DE 19720

HERSHAL PURCHIT ESQ

NEW COUNTY CASTLE COUNTY
GOVERNMENT CENTER 87
READS WAY NEWCASTLE
DE. 19720

MICHAEL P. WALSH SHERIFF
OF NEW COUNTY, DE,
NEW COUNTY COURT HOUSE
500 NORTH KING STREET
WILMINGTON DE. 19802 3753

SHARON AGNEW PROTHONOTARY
OF NEWCASTLE, DELAWARE
NEW COUNTY COURT HOUSE
500 NORTH KING STREET
WILMINGTON DE. 19802 3733

1. On October, 11, 2007, New Castle County had a judgment entered against Shipley's Property for taxes in the amount of \$3,998.40 + costs, by the Prothonotary for the years of 2006-2007 Parcel no 10-010.30-052. *When Shipleys don't owe any TAXES for those years.*
2. John Shipley and Rochelle Shipley paid their taxes for the years of 2006-2007 on 7/20/2007 in the amount of \$1,825.03 which covered School Taxes for 2006, Sewer Tax, County Tax for years 2006 and 2007; School Taxes for 2007 were not due.
3. Now comes John Shipley begging court to stop these proceedings in the case here and not transfer my deed of title to anyone.
4. John Shipley does not recognize any law that allows the County to take anyone's property for doing work on their property and for removing cars off of their property.

Without there permission,

5. *On June 10 2008 Micheal P WALSH Sheriff
SOLD PROPERTY AT Sheriff SALE.
609 WILDE LAVE NEW CASTLE DE.
19720 Parcel 10-010.30-052
either personally or through he
servant, agents, or employees or
deputies*

6. *Sharon AGNEW entered judgment against
SHIPLEYS oct 11 2007 either personally
or through her servants agents or employees
or deputies*

7. *Defendant Harshal Porohites carried out all
of these UNCONSTITUTIONAL practices and discrim
inatory practices.*

PETITION NUMBER 8

8. NOW COMES JOHN SHIPLEY begging the

COURT ENTER A STAY of all proceedings
IN CASE 07T-10-002, NOW 234
SUPERIOR COURT of the STATE OF DELAWARE.

9 NO COURT EVER GAVE THE DEFENDANTS
A JUDGMENT AGAINST SHIPLEY PROPERLY -

John S. Shipley
John Shipley
John S. Shipley

WHEREFORE, Plaintiffs pray Your Honorable Court to enter judgment
against Defendants as follows:

1. To award damages to Plaintiffs against all Defendants in the amount of
THREE Million Dollars (\$3,000,000), together with interest and court costs.

6. Plaintiff(s) filed charges with the _____
(Agency)

(Street Address) (City) (County) (State) (Zip)

regarding defendant(s) alleged discriminatory conduct on: _____
(Date)

7. Attach decision of the agency which investigated the charges referred in paragraph 6 above.

8. Was an appeal taken from the agency's decision? Yes ☐ No ☐

If yes, to whom was the appeal taken? _____

9. The discriminatory acts alleged in this suit concern: (Describe facts on additional sheets if necessary)

ONE Through 89 on additional
Sheets

10. Defendant's conduct is discriminatory with respect to the following:

- A. ☒ Plaintiff's race
- B. ☒ Plaintiff's color
- C. ☐ Plaintiff's sex
- D. ☐ Plaintiff's religion
- E. ☐ Plaintiff's national origin

11. Plaintiff prays for the following relief: (Indicate the exact relief requested)

Stop the DEFENDANT FROM
TAKING MY HOUSE

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 29- AUG - 2008

John D. Shipley
(Signature of Plaintiff)

077-10-002
Mon-23-1

M O N I T I O N

TAKE WARNING

To all persons having or claiming to have any title, interest or lien upon the within described premises, take warning that unless the judgment for the taxes or assessment stated herein is paid within twenty days after the date hereof, or within such period of twenty days evidence of the payment of the taxes herein claimed shall be filed in the Office of the Prothonotary for New Castle County, Delaware, which evidence shall be in the form of a receipted tax bill or duplicate thereof, bearing a date prior to the filing of the lien in the Office of the Prothonotary for New Castle County, New Castle County may proceed to sell the property herein mentioned or described for the judgment for the taxes or assessments herein stated.

Name of Person in Whose Name Property is Assessed	Year or Years	Amount of Judgment for County Taxes
John S. and Rochelle D. Shipley	2006 - 2007	\$3,998.40 + Costs

Description of Property
As it Appears Upon Assessment Rolls
of New Castle County

609 Wilder Avenue
.33 Acres
Parcel No.: 10-010.30-052

ISSUED this ^{23rd} day of Oct, A.D. 2007

Sharon A. [Signature]
Prothonotary, New Castle County
PER [Signature]
DEPUTY

POSTED this ^{28th} day of Oct, A.D. 2007

Sheriff New Castle County

[Signature]

POSTED 12-28-07

TAXES

SUPPLEMENTAL
TAX BILLING

NEW CASTLE COUNTY
2/13/2008 11:28AM Rec: 0005 00028764
Loc:WIND WS:003 CR:020 PD:2/13/2008
Account Number:1001030052 WI
SHIPLEY JOHN S & ROCHELLE,
609 WILDEL AV
Paid by:
Property Tax Pmt \$713.87

COUNTY AND OTHER TAXES

For inquiries concerning your County tax bill, please call (302) 323-2600

Tax	Taxable Assessment	X	Rate/\$100 Assessment	X	%	=	Current Amount
Total Current Tax							0.00
Prior Balance							180.79
Penalty							10.85
TOTAL COUNTY AND OTHER TAXES DUE							191.64

NEW CASTLE COUNTY
2/13/2008 11:28AM Rec: 0005 00028764
Loc:WIND WS:003 CR:020 PD:2/13/2008
Account Number:1001030052 WI
SHIPLEY JOHN S & ROCHELLE,
609 WILDEL AV
Paid by:
Sewer Payment \$50.00
CA Paid \$765.00
CHANGE \$1.13

LOCAL SCHOOL DISTRICT TAXES STATE OF DELAWARE

are set by your school district and are collected by New Castle County as required by State
ies concerning your school tax rates, please call -
ational:

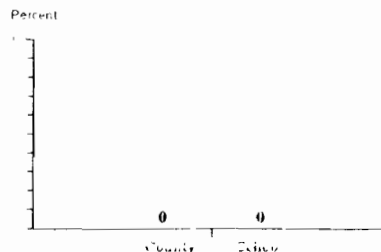
1 District	Taxable Assessment	X	Rate/\$100 Assessment	X	%	=	Current Amount
Total Current Tax							0.00
Prior Balance							468.18
Penalty							28.09
TOTAL SCHOOL DISTRICT TAXES DUE							496.27

Exempt Codes
NONE

PAST DUE

TOTAL SCHOOL AND COUNTY TAXES DUE 687.91

Percentage of Current Taxes



Bills are due and payable upon receipt. Statutory penalties will be applied if payment is not received by 10/31/2007 without regard to postmark.

Current amounts becoming past due will be assessed an immediate penalty of 6%. ALL accounts will be charged an additional 1% penalty on the first of every month thereafter.

Unpaid taxes constitute a lien against your property. Failure to make timely payment may subject your property to foreclosure.

PLEASE NOTE ANY CHANGE OF
MAILING ADDRESS ON THE REVERSE SIDE

THIS PORTION IS FOR YOUR RECORDS

NEW CASTLE COUNTY
7/20/2007 10:29AM Rec: 0009 00021626
Loc:WIND WS:003 CR:764 PD:7/20/2007
Account Number: 1001030052 WI
SHIPLEY JOHN S & ROCHELLE,
609 WILDEL AV
Paid by:
Sewer Payment \$115.25
CA Paid \$500.00
CA Paid \$500.00
CA Paid \$30.00
CHANGE \$2.00

NEW CASTLE COUNTY
7/20/2007 10:29AM Rec: 0009 00021626
Loc:WIND WS:003 CR:764 PD:7/20/2007
Account Number: 1001030052 WI
SHIPLEY JOHN S & ROCHELLE,
609 WILDEL AV
Paid by:
School Tax Payment \$1,025.03

NEW CASTLE COUNTY
7/20/2007 10:29AM Rec: 0009 00021624
Loc:WIND WS:003 CR:764 PD:7/20/2007
Account Number: 1001030052 WI
SHIPLEY JOHN S & ROCHELLE,
609 WILDEL AV
Paid by:
Property Tax Pmt \$307.94

JS 44 (Rev. 12/07)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS <u>JOHN S SHIPLEY</u> <u>ROCKHILL</u> (b) County of Residence of First Listed Plaintiff _____ (EXCEPT IN U.S. PLAINTIFF CASES) <u>609 VILDE/AVK NEW CASTLE</u> <u>DE. 1302 6565050</u> (c) Attorney's (Firm Name, Address, and Telephone Number) _____	DEFENDANTS <u>HARSHAT Purohit ESA</u> <u>NEWCASTLE COUNTY PHILIA SUBDIVISION</u> <u>MICHAEL PWAISH SHERIFF</u> <u>SHARON AGNEW PROTHONOTARY</u> County of Residence of First Listed Defendant _____ (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED. Attorneys (If Known) _____
---	--

II. BASIS OF JURISDICTION (Place an "X" in One Box Only) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant) <table style="width: 100%;"> <tr> <th style="text-align: left;">PTF</th> <th style="text-align: left;">DEF</th> </tr> <tr> <td> <input checked="" type="checkbox"/> 1 Citizen of This State <input type="checkbox"/> 2 Citizen of Another State <input type="checkbox"/> 3 Citizen or Subject of a Foreign Country </td> <td> <input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State <input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 3 Foreign Nation </td> </tr> </table>	PTF	DEF	<input checked="" type="checkbox"/> 1 Citizen of This State <input type="checkbox"/> 2 Citizen of Another State <input type="checkbox"/> 3 Citizen or Subject of a Foreign Country	<input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State <input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 3 Foreign Nation
PTF	DEF				
<input checked="" type="checkbox"/> 1 Citizen of This State <input type="checkbox"/> 2 Citizen of Another State <input type="checkbox"/> 3 Citizen or Subject of a Foreign Country	<input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State <input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 3 Foreign Nation				

IV. NATURE OF SUIT (Place an "X" in One Box Only)					
CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input checked="" type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only) <input type="checkbox"/> 1 Original Proceeding <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify) <input type="checkbox"/> 6 Multidistrict Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment	VI. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): <u>28 USC 1331, 28 USC 1343, 28 USC 2201, 42 USC 1981, 1982, 1983, 1985, 1986</u> Brief description of cause: <u>Sold my HOUSE For TAXES and d do not owe TAXES FOR 2006 or 2007</u>
VII. REQUESTED IN COMPLAINT: <input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ <u>3 Million</u> CHECK YES only if demanded in complaint: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

VIII. RELATED CASE(S) IF ANY (See instructions):	JUDGE _____	DOCKET NUMBER _____
---	-------------	---------------------

DATE <u>8-29-08</u>	SIGNATURE OF ATTORNEY OF RECORD <u>John S Shipley</u>
---------------------	---

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

AO FORM 85 RECEIPT (REV. 9/04)

United States District Court for the District of Delaware

Civil Action No. 08 - 554

ACKNOWLEDGMENT
OF RECEIPT FOR AO FORM 85

NOTICE OF AVAILABILITY OF A
UNITED STATES MAGISTRATE JUDGE
TO EXERCISE JURISDICTION

I HEREBY ACKNOWLEDGE RECEIPT OF 4 COPIES OF AO FORM 85.

8/29/08

(Date forms issued)

X John S. Shiff

(Signature of Party or their Representative)

(Printed name of Party or their Representative)

Note: Completed receipt will be filed in the Civil Action

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

Peter T. Dalleo
CLERK

LOCKBOX 18
844 KING STREET
U.S. COURTHOUSE
WILMINGTON, DELAWARE 19801
(302) 573-6170

RE: C.A.# 08 - 554

CASE CAPTION: _____ v. _____

ACKNOWLEDGMENT OF RECEIPT FOR F.R.Civ.P. 4

I hereby acknowledge receipt of a copy of Rule 4 (Summons) of the Federal Rules of Civil Procedure, and understand that it is my responsibility to make service of process on defendants in accordance with this rule.

Date Received 8/29/08 Signed: [Signature]
by Plaintiff: _____ Pro Se Plaintiff

Date Received 8/29/08 Signed: [Signature]
by Clerk's office: _____ Deputy Clerk

Note: If you received Federal Rule 4 by mail, please sign this receipt and return it to:

Clerk
U.S. District Court
844 N. King Street
Lockbox 18
Wilmington, DE 19801

If applicable, Rule 4 mailed to plaintiff:

Date mailed

By Deputy Clerk

cc: Docketing Clerk